

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
**No. 7:10-CV-186-FL**

KATHLEEN LUPTON SIMMONS, )  
 )  
Plaintiff )  
 )  
v. )  
 )  
MICHAEL J. ASTRUE, )  
Commissioner of )  
Social Security )  
 )  
Defendant. )  
\_\_\_\_\_ )

This matter is before the Court on plaintiff's Motion for Judgment on the Pleadings and defendant's Motion for Remand to the Commissioner. Plaintiff's counsel indicated that she did not oppose the defendant's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

SO ORDERED this 31st day of March, 2011.



CHIEF JUDGE LOUISE FLANAGAN  
UNITED STATES DISTRICT JUDGE